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Election

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Holger Hess-Stumpp et al. :  
Serial No.: 09/961,403 : Group Art Unit: 1634  
Filed: September 25, 2001 : Examiner: E. C. Whisenant  
For: **METHOD FOR IN VITRO DIAGNOSIS OF ENDOMETRIOSIS**

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, DC 20231

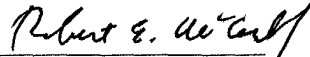
Dear Sir:

This is in response to the Office Action mailed September 4, 2002, in which the Examiner has required restriction between Group I, namely claims 1 and 4 drawn to a method for diagnosing endometriosis using hybridization; Group II, namely claim 2 drawn to a method for diagnosing endometriosis using antibodies, and Group III, namely claim 3 drawn to a DNA chip for diagnosing endometriosis.

Applicants hereby provisionally elect with traverse to prosecute the claims of Group I (claims 1 and 4). There would clearly be no excessive burden in searching the other methods for detecting endometriosis as the invention is unitary. Upon allowance of the elected claims, Applicants reserve the right to respectfully request rejoinder of the remaining claims.

If the Examiner has any remaining issue(s), he is cordially invited to telephone the undersigned at the number indicated below.

Respectfully submitted,



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**Filed: October 3, 2002**

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